PATENT
5181-70500/P5201

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/653,610	§ Examiner: Nguyen, Quang N
Filed: August 31, 2000	§ Group/Art Unit: 2141
Inventors:	§ Atty. Dkt. No: 5181-70500
Saulpaugh, et al.	§

Title: Method and Apparatus to Obtain Negotiated Service Advertisement

§

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Printed Name

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Signature

May 31, 2005
Date

REPLY BRIEF

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Examiner's Answer mailed March 30, 2005, Appellants present this Reply Brief. Appellants respectfully request that this Reply Brief be entered pursuant to 37 C.F.R. § 41.41 and considered by the Board of Patent Appeals and Interferences.

REPLY TO EXAMINER'S ANSWER

First Ground of Rejection:

Claim 1:

In the Appeal Brief, Appellants argue that He fails to anticipate a client using a capability credential to *request* an *access interface document* to access a service, the client receiving the access interface document, wherein the access interface document comprises an *interface* for accessing only a portion of the service's capabilities, and the client using the interface *from the access interface document* to access a capability from the portion of the service's capabilities. Instead, He presents a hierarchy of tickets used for access control. He also teaches controlling access to network elements through the use of an authentication server, a credential server and a network element access server (He, column 2, lines 12-16). However, as argued in the Appeal Brief, He does not disclose anything regarding an access interface *document* comprising an *interface* for accessing only a portion of a service's capabilities, as the Examiner contends. He is not concerned with access interface documents by which a client accesses a service. The access control credentials and tickets, such as He's general and session tickets, are used *only for access control*, not as interface documents.

In the Examiner's Answer, the Examiner repeats his assertion that He's pull-down menus "listing available services" are access interface documents. Specifically, the Examiner argues that "a document or web page with a graphical user interface (GUI) such as pull-down menus listing available services to which the client is allowed/authorized to access" is an access interface document to access a service.

However, nowhere does He describe that a web page including pull-down menus listing network elements in an access interface documents that includes an *interface* for accessing those network elements or any other portion of a service's capabilities. Instead, He's pull-down menus only allow a user to select a network element to access - without providing any interface for accessing that network element. He teaches that "the

user is permitted to access pull down menus to *identify* those network elements" to access (emphasis added, He, column 26, lines 58-60). Thus, He teaches the traditional use of pull down menus in their conventional manner to select from among multiple choices. He also teaches that a user "clicks on a desired network element to select it, or *otherwise specifies a preference for connectivity with a selected network element*" (emphasis added, He, column 26, lines 62-64). Thus, He describes mechanisms other than the pull-down menus for a user to select a network element – supporting Appellants' argument that He is using pull-down menus in a purely traditional use as selection mechanisms – not as interface documents.

Additionally, after He's user selects a network elements, whether or not via pull-down menus, He's user element local access control system sends an access request including a general ticket to the network security server, which verifies the general ticket and returns a session ticket for communicating with the selected network element (He, column 27, lines 40-55). He goes on to describe how the user element communicates with the network element using the session encryption key from the session ticket (He, column 28, lines 9-33). However, He does not teach that the user element uses an interface from the web page including the pull down menus to access either the network security server or the network element. Instead, as noted previously, He is merely using pull-down menus, as well as other mechanisms, to allow a user to select a particular network element to access. After the user has made such a selection, He does not refer to using any interface from the web page including the pull-down menus (which the Examiner's equates to an access interface document) to access the selected network element, or any other capability of a service.

The Examiner, in the Examiner's Answer, also equates one of He's clients "using the received credential ticket containing a list of user credentials issued by the credential server 204 to request a document or a GUI (or a web page) with the pull-down menus, via the access server 206 and the security server 208, in order to access the available services/network elements according to his capability credential" (parenthesis in original) as using a capability credential to request an access interface document to access a

service. However, He clearly teaches that the general ticket, which the Examiner equates to a capability credential, is used to request access to a network element only after the user has selected the network element via He's pull down menus (He, column 27, lines 40-56). Thus, a client in He's system does not use the general ticket to request a document, GUI, or web page, as suggested by the Examiner. He fails to mention a client requesting such a document, GUI, or web page using the general ticket. Instead, He teaches that the general ticket is "presented to the network security server each time the user element initiates a communication session" and that if the general ticket is authenticated the network security server provides a session ticket "used by the user element to communicate with the elected network element" (He, column 2, lines 36-47). Thus, when one of He's clients uses a general ticket (which the Examiner argues is a capability credential) the user has already selected a network element and thus the client cannot be requesting a document, GUI, or web page including the pull down menus (which the Examiner equates to an access interface document) as the Examiner contends.

Furthermore, the Examiner also argues (in the Examiner's Answer) that when a user in He's system makes an access request by selecting/clicking on one of the available network elements listed by the pull-down menus, the client is using the interface from an access interface document to access a capability from said portion of the service's capabilities. However, He describes how when the user selects a network element, the user is performing an *authentication function* by presenting a general ticket in order to obtain a session encryption key with the session ticket (He, column 2, lines 36-47). He states only that the "user sends a message to the network element access server" to request "a ticket to access a specified network element" (He, column 20, lines 27-30). He does not describe sending a message to the network element access server as using an interface from the pull-down menus used to select the desired network element. He simply does not describe requesting a ticket as using an *interface from an access interface document* to access a capability from a portion of a service's capabilities.

The Examiner also contends that He's use of a general ticket to receive a session ticket corresponds to the client using a capability credential to request an access interface

document to access the first service, and further argues that He's use of a pull down menu corresponds to a client receiving an access interface document and using the interface from the access interface document to access a capability from said portion of the first service's capabilities. However, as discussed previously, He clearly teaches that a user uses the pull down menu (which the Examiner equates to using an interface from an access interface document to access a capability from a portion of a service's capabilities) to *first* select a network element for which a user *then* obtains a session ticket (which the Examiner equates to requesting an access interface document). Thus, a client using He's general ticket to receive a session ticket cannot correspond to a client using a capability credential to request an access interface document, as the Examiner contends.

Claim 18:

For a rebuttal of the Examiner's arguments in the Examiner's Answer regarding claim 18, please see the above discussion regarding claim 1.

Claim 35:

For a rebuttal of the Examiner's arguments in the Examiner's Answer regarding claim 35, please see the above discussion regarding claim 1.

Second Ground of Rejection:

Claims 2, 3, 19, 20, 36 and 37:

Appellants argue that He in view of Pulliam fails to teach wherein using a capability credential to request an access interface document comprises sending an advertisement request message in a data representation language, wherein the advertisement request message includes the capability credential. The Examiner recognizes that He fails to teach sending an advertisement request message in a data representation language, and relies upon Pulliam to disclose this functionality. Pulliam teaches an online shopping communication schema for communicating online shopping orders such as vehicle orders (Pulliam, Abstract) and has nothing to do with a client

requesting an interface document comprising an interface usable by the client to access only a portion of a service's capabilities.

The Examiner holds that the pull-down lists in Pulliam that include available automobile makes and models (Pulliam, column 13, lines 31-37) are an access interface document to access the available makes and models. Appellants disagree. Pulliam never mentions anything regarding an access interface document, nor about using such pull-down lists as an <u>access interface document</u> that comprises an interface <u>for accessing a portion of a service's capabilities</u>. Instead, Pulliam teaches that the client uses a user's selections among the pull-down lists to compile an XML message "that requests a list of matching vehicles in inventory database 612" (Pulliam, column 13, lines 37-49). Thus, rather than being an access interface document as the Examiner contends, the pull-down lists, and the data that make up such lists, are clearly search criteria, and therefore just data, to be sent as part of a database search request. Appellants note that the <u>Examiner has never provided any rebuttal</u> to Appellants' argument that Pulliam's pull-down lists are used to specify search criteria rather than as access interface documents.

The Examiner's Answer repeats the Examiner's statement asserting that Appellants are attempting to attack the cited references individually. However, the Examiner is ignoring Appellants' arguments in previous responses stating that even if He's system were modified so that a user requested a ticket by sending a request message in a data representation language, the request would still be for just a ticket, not an interface document comprising an interface usable by the client to access only a portion of a service's capabilities (Response dated June 28, 2004, page 14, lines 10-13, Appeal Brief dated January 11, 2005, page 14, lines 7-16). Furthermore, the Examiner has also ignored Appellants' previous rebuttal to the Examiner's statement regarding attacking the cited references individually (Appeal Brief dated January 11, 2005, page 14, lines 18-25).

Furthermore, the Examiner has failed to provide any rebuttal to Appellants' argument that Pulliam fails to disclose anything regarding sending an advertisement request message. As stated in the Appeal Brief, the searching of an online automobile

database according to user specified search criteria in Pulliam has nothing to do with an advertisement request message. The Examiner's cited passages (Pulliam, column 14, lines 34-45, and column 15, lines 38-42) refer only to a locate server that uses PKI encrypted user credentials to provide access control. Neither of these passage teaches anything regarding sending an advertisement request message. Pulliam only teaches the use of XML to describe the search criteria and the corresponding search results (Pulliam, column 13, lines 25-29). Pulliam fails to teach sending an *advertisement request message* in a data representation language. Appellants submit that sending an advertisement request message is very different than sending search criteria and search result messages in XML. Just because XML is a data representation language, does not mean that using XML for search criteria or search result messages corresponds to or suggests sending an advertisement request message in a data representation language.

Claim 4:

Appellants' argue, regarding claim 4, that He in view of Pulliam does not teach generating a custom advertisement in response to receiving the advertisement request message.

The Examiner contends, in the Examiner's Answer, that "the server [in He] generates pull-down menus to identify those *capabilities* to which the client is allowed/authorized to access" (emphasis added) citing He, column 26, lines 58-65 and Pulliam, column 13, lines 34-40). However, as argued in Appellants' Appeal Brief, the pull-down menus in He and Pulliam referred to by the Examiner have nothing to do with generating a custom advertisement as an access interface document according to the portion of the service's capabilities that the capability credential indicates the client is allowed to access. He's pull-down menus "identify those network elements" to which the user is allowed access. The cited passage of Pulliam pertains to "pull-down lists of available makes and models" which may be used to select "preferences" for "matching vehicles" as described above regarding claim 2. Pulliam's teachings have nothing to do with generating a custom advertisement according to a portion of a service's capabilities.

The Examiner also refers to He's and Pulliam's pull-down menus as identifying *capabilities*. He, however, does not teach using pull-down menus to identify *capabilities*, but instead uses pull-down menus to identify those specific network elements with which a user may communicate (He, column 26, lines 58-65), not any particular capabilities or portions of the capabilities of a service that a user may access. Similarly, Pulliam never describes pull-down menus as identifying service capabilities. Instead, Pulliam uses pull-down lists as one example of collecting search criteria from a user (Pulliam, column 13, lines 34-37).

As argued in Appellants' Appeal Brief, He and Pulliam, both singly and in combination, fail to teach generating and sending, in response to receiving the advertisement request message, an advertisement request response message which includes a custom advertisement generated according to a portion of a service's capabilities that a client is allowed to access as indicated by a capability credential.

Claims 5, 22, and 39:

Appellants argue in the Appeal Brief that He in view of Pulliam does not teach or suggest a custom advertisement that specifies an XML schema *defining* messages to be sent by the client to the service and messages to be sent from the service to the client to use the portion of the service's capabilities. The portions cited by the Examiner (Pulliam, column 13, lines 22-42, column 15, lines 39-43 and column 16, lines 40-50) refer to the use of XML "to support application-to-application data exchange formats." In Pulliam, XML is used to describe the *data content* of messages, not to define the messages themselves. XML, as used by Pulliam, does not define messages to be sent by the client to the service nor messages to be sent from the service to the client to use the portion of the service's capabilities.

In response to the above argument, the Examiner again cites portions of Pulliam (column 13, lines 22-42; column 15, lines 39-43; and column 16, lines 40-50) that refer to

Pulliam's use of XML to send various messages. However, as stated previously, Pulliam does not mention an XML schema defining messages to be sent by the client to the service, nor does he describe messages to be sent from the service to the client. The Examiner's total argument is that Pulliam uses XML to exchange messages. However, just sending and receiving messages in XML does not teach, suggest, or inherently include the use of an XML schema defining the messages. The Examiner has not cited any portion of either He or Pulliam that describes, or even mentions, such a schema. Nor has the Examiner demonstrated that such a schema is inherent in Pulliam's use of XML messages. Thus, the Examiner has completely and repeatedly failed to rebut Appellants' arguments regarding claim 5.

Appellants also argue in the Appeal Brief that the rejection of claim 5 is further improper because the Examiner has not explained how the cited teachings of Pulliam (the use of XML messages to submit search requests) applies to He's system. As stated above, He fails to mention anything regarding XML messages, or search messages. Furthermore, the Examiner fails to explain how Pulliam suggests modifying He's system. Nor does the Examiner provide any motivation for combining the online ordering system of Pulliam with the secure access method of He. The use of an XML schema in Pulliam to describe data to be exchanged in online shopping does not have any relevance to the access control ticket requests in He. Therefore, the combination of references is improper. Appellants note that the Examiner has failed to provide any rebuttal to this argument.

Claims 13, 14, 30, 31 47 and 48:

Appellants argue that He in view of Pulliam fails to teach wherein said access interface document comprises a schema defining messages for accessing said portion of the first service's capabilities, wherein said using the interface from said access interface document to access a capability comprises sending a message according to said schema to the first service.

In the Examiner's Answer, the Examiner refers to the Examiner's arguments regarding claims 5, 22, and 39. As such, the arguments presented above regarding claims 5, 22, and 39 also apply here.

Furthermore, the Examiner has failed to provide any rebuttal to Appellants argument regarding how the pull-down menus of He do not use or comprise a schema defining messages for accessing a portion of a service's capabilities. Instead, using a pull-down menu only involves user selection. Also, Pulliam teaches that his pull-down menus are used to specify search criteria. Pulliam does not teach that using his pull-down menus includes sending messages specified in a schema, as the Examiner suggests.

As with the Examiner's rejection of claims 5, 22, and 39, discussed above, the Examiner fails to explain how the cited teachings of Pulliam are combined with He's system. The Examiner also fails to provide any motivation for combining the online ordering system of Pulliam with the secure access method of He. As argued in the Appeal Brief, no combination of He and Pulliam results in a method wherein the access interface document <u>comprises a schema defining messages</u> for accessing a portion of the first service's capabilities, wherein the using the interface from the access interface document to access a capability <u>comprises sending a message according to the schema</u> to the first service, as asserted by the Examiner.

Claims 15, 32 and 49:

Appellants argue in the Appeal Brief that He in view of Pulliam fails to teach wherein said access interface document <u>comprises a message schema defining messages</u> for accessing the portion of the first service's capabilities, wherein said using the interface from the access interface document to access a capability comprises the client using the access interface document <u>to construct a message gate</u> for sending messages to the first service, wherein the message gate <u>embeds the capability credential in each message</u>.

The Examiner's Answer states, "Pulliam teaches a message client 924 provides the required functions to receive the XML formatted document, then generates and sends the XML messages and application credentials to and from the server" and cites column 15, lines 38-43 of Pulliam. However, as argued in the Appeal Brief, Pulliam's teachings do not disclose an access interface document *comprising a message schema* defining messages for accessing a portion of a service's capabilities. The Examiner has also argued (such as regarding claim 1) that He's pull-down menus (of network elements) are access interface documents. However, the Examiner has failed to point out any passage of He or Pulliam that discloses wherein the pull-down menus comprise a message schema defining messages, as recited in claim 15. In fact, neither He nor Pulliam ever mention any sort of access interface document comprising a message schema defining messages for accessing a portion of a service's capabilities.

Furthermore, the cited passage of Pulliam does not teach a message client that embeds the capability credential in each message. Instead, the cited passage only describes how Pulliam's message client 924 sends and receives XML messages. Nowhere does Pulliam mention a message gate embedding a capability credential in each message. The Examiner is merely speculating in hindsight regarding the embedding of a capability credential with every message.

Appellants note that the Examiner's Answer merely repeats the Examiner's previous arguments without providing any rebuttal of Appellants' arguments as presented in the Appeal Brief.

Claims 16, 33 and 50:

Appellants argue, regarding claim 16, that He in view of Pulliam fails to teach wherein the message gate checks each message for compliance with the message schema. The Examiner, in the Final Office Action and the Advisory Action, cites column 16, lines 40 – 50 of He. However, the cited portion of He, only describes He's use of a registration database and how He's authentication server 202 maintains a database of user

account records. The cited passage has no relevance on a message gate that checks each message for compliance with a message schema. He does not teach anything regarding a message gate that checks each message for compliance with a message schema, as recited in claim 16.

The Examiner's Answer cites column 15, lines 26-43 and column 16, lines 40-50 of Pulliam and argues that Pulliam's statement regarding how message client 924 provides the required functions to generate, send and receive XML messages teaches a message gate that checks each message for compliance with a XML message schema. However, the cites passages of Pulliam fail to mention anything regarding an XML schema or about message client 924 checking messages for compliance with such a schema. As argued above and in the Appeal Brief, He in view of Pulliam fails to disclose a message schema defining messages to access a portion of a service's capabilities (please refer to the arguments presented above regarding claims 5, 22, and 39).

The Examiner appears to be arguing that providing functions to generate, send, and receive XML messages, as mentioned by Pulliam inherently includes a message gate that checks each message for compliance with a message schema. However, XML messages can easily be generated, sent, and received without any such message gate checking each message for compliance with a message schema as in well-known in the art of network communication. Without some specific teaching or suggestion in either He or Pulliam regarding such a message gate, the Examiner's argument amounts to nothing more than hindsight speculation.

Claim 21:

For a rebuttal of the Examiner's arguments in the Examiner's Answer regarding claim 21, please see the above discussion regarding claim 4.
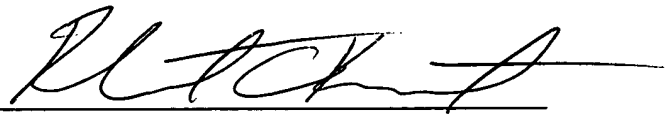
Claim 38:

For a rebuttal of the Examiner's arguments in the Examiner's Answer regarding claim 38, please see the above discussion regarding claim 4.

CONCLUSION

For the foregoing reasons submitted in the Appeal Brief and this Reply Brief, it is submitted that the Examiner's rejections of claims 1-5, 13-22, 30-39 and 47-51 was erroneous. Reversal of the Examiner's decision is respectfully requested.

The Commissioner is authorized to charge any fees that may be due to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5181-70500/RCK. This Reply Brief is submitted with a return receipt postcard.

Respectfully submitted,

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